



Handwritten initials: DW

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: June 13, 2006 Name: Steven P. Shurtz Signature: *Steven P. Shurtz*

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **James R. Maxwell et al.**

Appln. No.: **10/604,928**

Filed: **August 27, 2003**

For: **Breath Freshening and Oral Cleansing Product Using Cardamon Oil**

Attorney Docket No: **1391-1602**

Examiner: **Michel Graffeo**

Art Unit: **1614**

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Information Disclosure Statement, Form PTO 1449 identifying 64 art references, copies of references A41 through A64
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☒ A petition or processing fee in an amount of **\$180** under 37 C.F.R. § 1.17(p).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☒ A check in the amount of **\$180** is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____ . A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date: *June 13, 2006*

Respectfully submitted,
Steven P. Shurtz
Steven P. Shurtz (Reg. No. 31,424)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of:	JAMES R. MAXWELL ET AL.	
Appln. No.:	10/604,928	Examiner: Michel Graffeo
Filed:	August 27, 2003	Art Unit: 1614
For:	Breath Freshening and Oral Cleansing Product Using Cardamon Oil	
Attorney Docket No:	1391-1602	

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cite the following references:

No.	Publication Date	Patentee/Applicant/Assignee
3,452,138	06/24/1969	Granatek et al.
4,131,687	12/26/1978	Mussinán et al.
4,312,766	01/26/1982	Mussinán et al.
4,351,347	09/28/1982	Sprecker et al.
4,547,361	10/15/1985	Steltenkamp et al.
4,562,020	12/31/1985	Hijiya et al.
4,626,427	12/02/1986	Wienecke et al.
4,775,537	10/04/1988	Calabro et al.
4,820,544	04/11/1989	Barcelon et al.
5,458,890	10/17/1995	Williford et al.
5,626,837	05/06/1997	Shimada et al.
5,939,050	08/17/1999	Iyer et al.
5,948,430	09/07/1999	Zerbe et al.
6,177,096	01/23/2001	Zerbe et al.
6,248,309 B1	06/19/2001	Iyer et al.
6,280,751 B1	08/28/2001	Fletcher et al.
US 2001/0018043	08/30/2001	Henning et al.
6,284,264 B1	09/04/2001	Zerbe et al.
6,365,215 B1	04/02/2002	Grainger et al.
US 2002/0131990 A1	09/19/2002	Barkalow et al.
6,495,512 B1	12/17/2002	White et al.
6,500,409 B1	12/31/2002	Scherl et al.
6,552,024 B1	04/22/2003	Chen et al.
6,582,735 B2	06/24/2003	Stogniew et al.
6,596,298	07/22/2003	Leung et al.
6,656,493 B2	12/02/2003	Dzija et al.
6,703,000 B2	03/09/2004	Ning et al.
6,719,962	04/13/2004	Day et al.
6,726,897	04/27/2004	Lawlor

No.	Publication Date	Patentee/Applicant/Assignee
US 2004/0086546 A1	05/06/2004	Maxwell et al.
6,740,332	05/25/2004	Zyck et al.
US 2004/0107971	06/10/2004	De, Abhijit
US 2004/0253189 A1	12/16/2004	Maxwell et al.
US 2004/0253190 A1	12/16/2004	Maxwell et al.
US 2004/0253191 A1	12/16/2004	Maxwell et al.
US 2004/0253192 A1	12/16/2004	Maxwell et al.
US 2004/0253278 A1	12/16/2004	Maxwell et al.
US 2004/0258733 A1	12/23/2004	Maxwell et al.
US 2005/0112217	05/26/2005	Khoo
7,025,983	04/11/2006	Leung et al.

Patent Number	Publication Date	Country
CN 1,073,410 C	10/24/2001	China
CN 1,094,895 A	11/16/1994	China
CN 1,096,694 A	12/28/1994	China
CN 1,096,699 A	12/28/1994	China
CN 1,141,194 A	01/29/1997	China
CN 1,115,212 A	01/24/1996	China
CN 1,127,136 A		China
CN 1,380,079	11/20/2002	China
1996/0007923		Korea
2002-0003413	01/12/2002	Korea
Sho/84/175422	10/04/1984	Japan
JP 1132337	05/24/1989	Japan
JP 57085319 A	05/1982	Japan
1,311,060	03/21/1973	Great Britain
WO 93/15116	8/1993	WIPO
WO 97/35599	10/02/1997	WIPO
WO 99/51093	10/14/1999	WIPO
WO 00/42992 A2	07/2000	WIPO
WO 01/82922 A1	11/08/2001	WIPO
WO 01/85116 A2	11/15/2001	WIPO
WO 02/91848 A1	11/21/2002	WIPO
WO 02/43657 A2	06/06/2002	WIPO
WO 2004/073670	02/02/2004	WIPO
WO 2004/703672	02/09/2004	WIPO

Applicants are enclosing Form PTO-1449 (two sheets), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

A translation into English of most of the foreign language documents is being provided. For Documents A47, A48 and A51-A53, only an abstract of the document in English is available to Applicants. For document A49, only a translation into English of the claims is available to Applicants. These partial translations provide information as to the relevance of these documents as best known to Applicants and their attorney.

Applicants have calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Statement. Applicant has enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Statement.

Respectfully submitted,

6/13/06
Date

Steven P. Shurtz
Steven P. Shurtz (Reg. No. 31,424)



FORM PTO-1449	SERIAL NO. 10/604,928	CASE NO. 1391/1602
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE August 27, 2003	GROUP ART UNIT 1614
(use several sheets if necessary)		APPLICANTS: J.R. MAXWELL ET AL.

REFERENCE DESIGNATION
U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number/Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	3,452,138	06/24/1969	Granatek et al.		
	A2	4,131,687	12/26/1978	Mussinán et al.		
	A3	4,312,766	01/26/1982	Mussinán et al.		
	A4	4,351,347	09/28/1982	Sprecker et al.		
	A5	4,547,361	10/15/1985	Steltenkamp et al.		
	A6	4,562,020	12/31/1985	Hijiya et al.		
	A7	4,626,427	12/02/1986	Wienecke et al.		
	A8	4,775,537	10/04/1988	Calabro et al.		
	A9	4,820,544	04/11/1989	Barcelon et al.		
	A10	5,458,890	10/17/1995	Williford et al.		
	A11	5,626,837	05/06/1997	Shimada et al.		
	A12	5,939,050	08/17/1999	Iyer et al.		
	A13	5,948,430	09/07/1999	Zerbe et al.		
	A14	6,177,096	01/23/2001	Zerbe et al.		
	A15	6,248,309 B1	06/19/2001	Iyer et al.		
	A16	6,280,751 B1	08/28/2001	Fletcher et al.		
	A17	US 2001/0018043	08/30/2001	Henning et al.		
	A18	6,284,264 B1	09/04/2001	Zerbe et al.		
	A19	6,365,215 B1	04/02/2002	Grainger et al.		
	A20	US 2002/0131990 A1	09/19/2002	Barkalow et al.		
	A21	6,495,512 B1	12/17/2002	White et al.		
	A22	6,500,409 B1	12/31/2002	Scherl et al.		
	A23	6,552,024 B1	04/22/2003	Chen et al.		
	A24	6,582,735 B2	06/24/2003	Stogniew et al.		
	A25	6,596,298	07/22/2003	Leung et al.		
	A26	6,656,493 B2	12/02/2003	Dzija et al.		
	A27	6,703,000 B2	03/09/2004	Ning et al.		
	A28	6,719,962	04/13/2004	Day et al.		
	A29	6,726,897	04/27/2004	Lawlor		
	A30	US 2004/0086546 A1	05/06/2004	Maxwell et al.		
	A31	6,740,332	05/25/2004	Zyck et al.		
	A32	US 2004/0107971	06/10/2004	De, Abhijit		
	A33	US 2004/0253189 A1	12/16/2004	Maxwell et al.		
	A34	US 2004/0253190 A1	12/16/2004	Maxwell et al.		
	A35	US 2004/0253191 A1	12/16/2004	Maxwell et al.		
	A36	US 2004/0253192 A1	12/16/2004	Maxwell et al.		
	A37	US 2004/0253278 A1	12/16/2004	Maxwell et al.		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 10/604,928	CASE NO. 1391/1602
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE August 27, 2003	GROUP ART UNIT 1614
(use several sheets if necessary)	APPLICANT(S): J.R. MAXWELL ET AL.	

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number/Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A38	US 2004/0258733 A1	12/23/2004	Maxwell et al.		
	A39	US 2005/0112217	05/26/2005	Khoo		
	A40	7,025,983	04/11/2006	Leung et al.		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number/Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A41	CN 1,073,410 C	10/24/2001	China		Yes
	A42	CN 1,094,895 A	11/16/1994	China		Yes
	A43	CN 1,096,694 A	12/28/1994	China		Yes
	A44	CN 1,096,699 A	12/28/1994	China		Yes
	A45	CN 1,141,194 A	01/29/1997	China		Yes
	A46	CN 1,115,212 A	01/24/1996	China		Yes
	A47	CN 1,127,136 A		China		Abstract
	A48	CN 1,380,079	11/20/2002	China		Abstract
	A49	1996/0007923		Korea		Claims
	A50	2002-0003413	01/12/2002	Korea		Yes
	A51	Sho/84/175422	10/04/1984	Japan		Abstract
	A52	JP 1132337	05/24/1989	Japan		Abstract
	A53	JP 57085319 A	05/1982	Japan		Abstract
	A54	1,311,060	03/21/1973	Great Britain		
	A55	WO 93/15116	8/1993	WIPO		
	A56	WO 97/35599	10/02/1997	WIPO		
	A57	WO 99/51093	10/14/1999	WIPO		
	A58	WO 00/42992 A2	07/2000	WIPO		
	A59	WO 01/82922 A1	11/08/2001	WIPO		
	A60	WO 01/85116 A2	11/15/2001	WIPO		
	A61	WO 02/91848 A1	11/21/2002	WIPO		
	A62	WO 02/43657 A2	06/06/2002	WIPO		
	A63	WO 2004/073670	02/02/2004	WIPO		
	A64	WO 2004/703672	02/09/2004	WIPO		

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.